

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

NICHOLAS QUINTANA,

Plaintiff,

-against-

9:03-CV-0924

JOSEPH E. MCCOY, et al.,

Defendants.

DECISION & ORDER

McAvoy, S.U.S.D.J.:

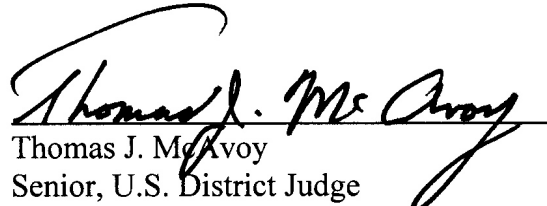
This action, brought pursuant to 42 U.S.C. § 1983, was referred by this Court to the Honorable Randolph F. Treece, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

No objections to the Report-Recommendation dated September 7, 2006 have been filed. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein.

It is therefore, **ORDERED** that defendants' motion for summary judgment is **GRANTED** and Plaintiff's Complaint is **DISMISSED**.

IT IS SO ORDERED.

Dated: September 29, 2006


Thomas J. McAvoy
Senior, U.S. District Judge